

IP9 Rec'd PCT/PTO 28 FEB 2006

Customer No. 22,852  
Attorney Docket No. 09812.0123

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

National Stage of International )  
Application No. PCT/JP2004/011633 )  
under 35 U.S.C. 371 )  
For: **MEASURING DEVICE AND ITS** )  
**METHOD** )  
Re Application of: )  
Kiyooki TAKIGUCHI )

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicant brings to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. JP 6-53117 - The relevance of this document is discussed at page 1 of the specification of the present application.

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2. JP 3367279 - The relevance of this document is discussed at page 1 of the specification of the present application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

- 3. JP 8-140954
- 4. JP 55-2416
- 5. JP 2003-232823

An English-language abstracts of documents 1-3 and 5 are enclosed.

In lieu of a statement of relevance or translation of the non-English documents, enclosed is an English-language international search report from the Japanese Patent Office in the priority application citing these references and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Receipt date: 02/28/2006

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10569953-2768  
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If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 27, 2006

By: David W. Hill

David W. Hill  
Reg. No. 28, 220

Enclosures  
DWH/FPD/alp

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<b>Application Number</b>	Not Yet Assigned
<b>Filing Date</b>	February 27, 2006
<b>First Named Inventor</b>	Kiyoaki TAKIGUCHI
<b>Art Unit</b>	Not Yet Assigned
<b>Examiner Name</b>	Not Yet Assigned
<b>Attorney Docket Number</b>	09R12 0123

Sheet	1	of	2
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**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>a</sup>
		Country Code <sup>a</sup> Number <sup>a</sup> Kind Code <sup>a</sup> (if known)				
		JP 6-53117	02-25-1994	HITACHI LTD		Abstract
		JP 3367279	12-03-1996	KAO CORP		Abstract
		JP 8-140954	06-04-1996	NEC CORP		Abstract
		JP 55-2416	01-09-1980			No
		JP 2003-232823	08-22-2003	NAKAZOE ATSUSHI OKAZAKI YUZURU		Abstract

[illegible]

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.E./